

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

STACEY B. FISHBEIN, KATRINA GARCIA,  
CATALINA SALDARRIAGA AND RUSSELL  
MARCHEWKA, on Behalf of Themselves and All  
Others Similarly Situated,

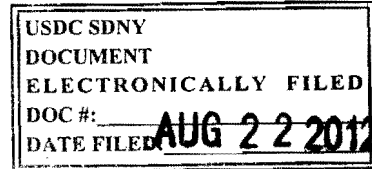
Plaintiffs,

v.

ALL MARKET INC. d/b/a VITA COCO,

Defendant.

Case No. 11-Civ-5580 (JPO)



~~[PROPOSED]~~ **ORDER GRANTING PLAINTIFFS' MOTION FOR AN  
AWARD OF ATTORNEYS' FEES, EXPENSES AND INCENTIVE AWARDS**

WHEREAS, Plaintiffs have moved this Court for an award of attorneys' fees, expenses and incentive awards;

WHEREAS, the Court has reviewed the submissions of the Parties, including the Declarations of Class Counsel and Additional Plaintiffs' Counsel and the argument of counsel at the Final Approval Hearing;

NOW, THEREFORE, it is hereby ORDERED, ADJUDGED, and DECREED as follows:

1. Incorporation of Defined Terms and the Stipulation. Except where otherwise noted, all capitalized terms used in this Order Granting Plaintiffs' Motion for an Award of Attorneys' Fees, Expenses and Incentive Awards ("Order Awarding Attorneys' Fees, Expenses and Incentive Awards") shall have the same definitions as in the Stipulation of Settlement entered into between the Parties (the "Stipulation"). The Stipulation (and any attachments, exhibits, or amendments thereto) is expressly incorporated by reference into this Order Awarding Attorneys' Fees, Reimbursement of Expenses and Incentive Awards for Class Representatives and made a part hereof for all purposes.

2. Attorneys' Fees and Expenses. The Court has considered the Parties' submissions and all other relevant factors, including, but not limited to, the results achieved and the efforts of Class Counsel and Other Plaintiffs' Counsel in prosecuting the claims of the Settlement Class. The efforts of Class Counsel and Additional Plaintiffs' Counsel have produced the Stipulation, which provides a fair, reasonable, adequate and certain result for the Settlement Class. Class Counsel and Additional Plaintiffs' Counsel are entitled to recover reasonable attorneys' fees and expenses for their efforts. The Court finds the request for \$750,000 in attorneys' fees and expenses, which includes a request for reimbursement of \$15,354.34 in expenses, to be reasonable. The Court further authorizes Class Counsel to distribute the attorneys' fees and

expenses awarded in a manner which, in the opinion of Class Counsel, fairly compensates them, Additional Plaintiffs' Counsel and counsel for the plaintiff in *Shenkman v. All Market, Inc.*, No. BC467166 (Los Angeles Superior Court), for their services. To the extent that there are any disputes that cannot be resolved, the Court will resolve them.

3. Incentive Awards. The Court further finds that the incentive awards requested by Plaintiffs Fishbein, Garcia, Saldarriaga and Marchewka in the amount of \$2,000 each are reasonable and consistent with or below incentive awards typically awarded in similar litigation. The incentive awards requested are therefore approved for payment in accordance with the Stipulation.

ORDERED this 22<sup>nd</sup> day of August, 2012.

  
J. Paul Oetken, U. S. D. J.

~